

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

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## **GEICO CASUALTY COMPANY,**

Plaintiff,

VS.

PAUL SCHNEIDER, *et al.*,

## Defendants.

2:17-cv-00961-APG-VCF

ORDER

Before the Court is Defendant Kimberly Schneider's Motion for Substitution of Party (ECF No.

35).

Under Fed. R. Civ. P. 25(a)(1), “[i]f a party dies and the claim is not extinguished, the court may order substitution of the proper party.” “It is plain...that Rule 25(a)(1) applies only to the substitution of legal representatives.” *Mallonee v. Fahey*, 200 F.2d 918, 919 (9th Cir. 1952).

Kimberly Schneider stated that she is the wife/widow of the deceased; thus, she has shown that she is the proper legal party to substitute in this case in the place of Defendant Paul Schneider.

Accordingly, and for good cause shown,

IT IS HEREBY ORDERED that Defendant Kimberly Schneider's Motion for Substitution of Party (ECF No. 35) is GRANTED.

DATED this 21st day of December, 2017.

*Cont'd*

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**CAM FERENBACH**  
**UNITED STATES MAGISTRATE JUDGE**